

In re Patent Application of:  
FLICK  
Serial No. 10/043,077  
Filing Date: JANUARY 9, 2002

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#### REMARKS

The Examiner is thanked for the thorough examination of the present application. Independent Claims 1, 18, and 46 have been amended to further define the invention over the cited prior art references. Dependent Claims 10, 24-29, and 53 have been canceled and Claims 11-15 and 54-56 have been amended for consistency.

The claim amendments and patentability of the claims are discussed in greater detail below. Favorable reconsideration is respectfully requested.

#### I. The Claimed Invention

Amended independent Claim 1, for example, is directed to a vehicle control system for a vehicle including a vehicle data communications bus extending throughout the vehicle, and at least one vehicle device connected thereto. The vehicle control system includes at least one uniquely coded transmitter to be carried by a user, a receiver at the vehicle for receiving signals from the at least one uniquely coded transmitter, and a controller at the vehicle spaced apart from the at least one vehicle device and connected to the receiver and the vehicle data communications bus. More particularly, Claim 1 has been amended to recite that the controller is for communicating with the at least one vehicle device via the data communications bus, being switchable to a learning mode and when in the learning mode, learning the at least one uniquely coded transmitter to permit control of a vehicle function by the user, and causing an indication of whether at least one new uniquely coded transmitter has been learned by causing an indication that the

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learning mode has been entered. Independent Claim 46 is similar to Claim 1 and is directed to a related method. In addition, independent Claim 46 has been amended in a manner similar to Claim 1.

Amended independent Claim 18 is directed to a vehicle control system for a vehicle including a vehicle data communications bus extending throughout the vehicle, and a vehicle indicator connected thereto. The vehicle control system includes at least one uniquely coded transmitter to be carried by a user, a receiver at the vehicle for receiving signals from the at least one uniquely coded transmitter, and a controller at the vehicle spaced apart from the vehicle indicator and connected to the receiver and the vehicle data communications bus. The controller is for learning the at least one uniquely coded transmitter to permit control of a vehicle function by the user, communicating with the vehicle indicator via the data communications bus to cause an indication of whether at least one new uniquely coded transmitter has been learned, and causing an indication of a number of learned uniquely coded transmitters.

Independent Claim 30 is directed to a vehicle control system for a vehicle including a vehicle data communications bus extending throughout the vehicle, and at least one vehicle device connected thereto. The vehicle control system includes a biometric characteristic sensor for sensing a unique biometric characteristic of a user, and a controller at the vehicle spaced apart from the at least one vehicle device and connected to the biometric characteristic sensor and the vehicle data communications bus. The controller is for communicating with

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the at least one vehicle device via the data communications bus, learning the unique biometric characteristic to permit control of a vehicle function by the user, and causing an indication of whether at least one new unique biometric characteristic has been learned. Independent Claim 57 is similar to Claim 30 and is directed to a related method.

II. Claims 1-9, 11-17, 18-23, 46-52, and 54-56 are Patentable

The Examiner rejected prior dependent Claims 10, 27, and 53 that correspond to amended independent Claims 1, 18, and 46 respectively, as unpatentable over the Suman et al. patent in view of the Flick '460 patent and further in view of the Flick '571 patent. The Suman et al. patent discloses a vehicle keyless entry system that is switchable to a training mode to train the keyless entry receiver to accommodate a remote transmitter for its first operation, additional transmitters, or replacement transmitters.

The Flick '460 patent discloses a vehicle security system including a remote transmitter in communication with a plurality of vehicle devices, and the vehicle devices communicate with a controller over a vehicle data communications bus. The Flick '571 patent discloses a building security system including a remote transmitter in communication with a building security controller. The controller also communicates with system indicators to indicate a change in the number of remote transmitters currently capable of controlling the controller.

The Examiner contends that the motivation to combine the three cited references is provided in the Flick '571 patent. However, it is respectfully submitted that the Examiner is using

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impermissible hindsight, gleaned from the Applicant's own specification, as a motivation to selectively combine disjoint pieces of the prior art in an attempt to produce the claimed invention. There is simply no proper motivation in the prior art to selectively combine bit and pieces from the three cited prior art references.

Accordingly, amended independent Claims 1, 18, and 46 are patentable. Their dependent claims, which recite yet further distinguishing features, are also patentable over the prior art and require no further discussion herein.

### III. Claims 30-45 and 57-67 are Patentable

The Examiner rejected independent Claims 30 and 57 as unpatentable over the Anzai et al. patent in view of Flick '460 patent. The Anzai et al. patent discloses a biometric authorization system for a vehicle that includes an enrollment mode. The Examiner correctly notes that the enrollment routine indicates that a new fingerprint has been learned by asking for confirmation of the enrollee via the display unit. The disclosure of the Flick '460 patent is discussed above.

In contrast, Claim 30, for example, is directed to a vehicle control system that includes a controller for causing an indication of whether at least one new unique biometric characteristic has been learned, not for prompting the user to enter this information.

The Anzai et al. patent simply fails to disclose a controller for causing an indication of whether at least one new unique biometric characteristic has been learned. Independent Claim 57 includes similar recitations to those recited by Claim

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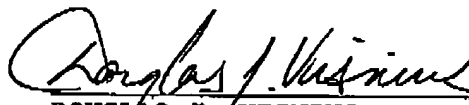
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30. Accordingly, independent Claims 30 and 57 are patentable. Their dependent claims, which recite yet further distinguishing features, are also patentable over the prior art and require no further discussion herein.

#### V. CONCLUSIONS

In view of the amendments and arguments provided herein, it is submitted that all the claims are patentable. Accordingly, a Notice of Allowance is requested in due course. Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned agent at the telephone number listed below.

Respectfully submitted,



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CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 1-703-872-9306 to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 27<sup>th</sup> day of January, 2005.

